

THOMAS E. FRANKOVICH (State Bar No. 074414)
 JENNIFER L. STENEGER (State Bar No. 202985)
 THOMAS E. FRANKOVICH,
A Professional Law Corporation
 2806 Van Ness Avenue
 San Francisco, CA 94109
 Telephone: 415/674-8600
 Facsimile: 415/674-9900

Attorneys for Plaintiffs PATRICK CONNALLY
 and DISABILITY RIGHTS ENFORCEMENT,
 EDUCATION SERVICES

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

PATRICK CONNALLY, an individual; and)	CASE NO. C04-3479 JCS
DISABILITY RIGHTS ENFORCEMENT,)	
EDUCATION SERVICES:HELPING YOU)	STIPULATION OF DISMISSAL AND
HELP OTHERS, a California public benefit)	[PROPOSED] ORDER THEREON
corporation,)	
)	
Plaintiffs,)	
)	
v.)	
)	
MARIN EXPRESS LUBE & DIAGNOSTIC)	
CENTER and PETER'S BEACON; PETER)	
JIZRAWI & JULI JIZRAWI, as trustees of the)	
JIZRAWI FAMILY 1999 TRUST; and)	
PETER S. JIZRAWI, as an individual dba)	
MARIN EXPRESS LUBE & DIAGNOSTIC)	
CENTER and PETER'S BEACON,)	
)	
Defendants.)	
)	
)	
)	

The parties, by and through their respective counsel, stipulate to dismissal of this action in its entirety with prejudice pursuant to Fed.R.Civ.P.41(a)(1). Outside of the terms of the Settlement Agreement and General Release ("Agreement") herein, each party is to bear its own costs and attorneys' fees. The parties further consent to and request that the Court retain jurisdiction over enforcement of the Agreement. *See Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375 (1994) (empowering the district courts to retain jurisdiction over enforcement of settlement agreements).

///

1 Therefore, IT IS HEREBY STIPULATED by and between parties to this action through their
2 designated counsel that the above-captioned action be and hereby is dismissed with prejudice pursuant
3 to Federal Rules of Civil Procedure section 41(a)(1).

4 This stipulation may be executed in counterparts, all of which together shall constitute one
5 original document.

6 Dated: July 18, 2005

THOMAS E. FRANKOVICH,
A PROFESSIONAL LAW CORPORATION

8 By: /s/
Jennifer L. Steneberg
9 Attorney for Plaintiffs PATRICK CONNALLY and
10 DISABILITY RIGHTS ENFORCEMENT,
EDUCATION SERVICES: HELPING YOU
11 HELP OTHERS

12 Dated: July 15, 2005

LAW OFFICES OF MARTIN J. MALKIN

13 By: /s/
14 Martin J. Malkin
Attorneys for Defendant PETER JIZRAWI & JULI
15 JIZRAWI

ORDER

16 IT IS HEREBY ORDERED that matter is dismissed with prejudice pursuant to
17 Fed.R.Civ.P.41(a)(1). IT IS FURTHER ORDERED that the Court shall retain jurisdiction for the
18 purpose of enforcing the parties' Settlement Agreement and General Release should such enforcement
19 be necessary.
20

21 Dated: July 19, 2005

23 /s/ Joseph C. Spero
24 Hon. Joseph C. Spero
UNITED STATES MAGISTRATE JUDGE
25
26
27
28